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Paper No. 9

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In re Application of  
Douglas D. Burkett  
Application No. 09/937,632  
Filed: January 22, 2002  
Attorney Docket No. 344-P-26-USA

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APR 3 0 2004

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ON PETITION

This is a decision on the petition, filed April 14, 2004, to revive the above-identified application under the provisions of 37 CFR 1.137(b).

The petition is **GRANTED**.

Extensions of time under 37 CFR 1.136 are available only if asked for prior to or with the response. In no case, however, may an applicant respond later than the maximum time period set by statute. Accordingly, if the question of abandonment arises when the provisions of 37 CFR 1.136 can no longer be used, then the application is abandoned when the unextended time for response has expired. Therefore, no extension of time fees are due on a petition for revival. Petitioner may request a refund of the \$475 extension fee in writing. A copy of this decision should accompany petitioner's request.

Telephone inquiries concerning this decision may be directed to the undersigned at (703) 305-9220. All other inquiries regarding this application should be directed to the Technology Center.

The application file is being forwarded to Technology Center AU 1626 for consideration of the amendment filed April 14, 2004.

*Sherry D. Brinkley*  
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